

**MRS. HATTIE WAITS**, Sworn for the State. My husband and I were living at No. 28 Markhem Street in the city of Atlanta, on April 26, 1913. On Saturday morning, April 26, 1913, I wanted to go to town to get my niece, who lives with me, some slippers. I always go to town across the Nelson St. bridge. As I reached Nelson and Forsyth Sts. I saw a negro and a white man standing on this corner talking together. The negro had his face turned towards me. The white man at first had his back to me, and I thought at first the white man was a gentleman I knew. As I got even with them the white man stepped back and I turned and looked at him and saw that he was not the gentleman that I thought he was. I recognized this white man as one whom I had seen several times prior to this date. I have seen him several times prior to this date. I have seen him several times on Forsyth St. I have since seen the negro and this negro was Jim Conley. I have seen a number of pictures of Leo M. Frank and Leo M. Frank is the same person I saw talking to Jim Conley. To the best of my knowledge it was between 10 and 11 o'clock. I saw Mr. Frank at the trial and recognized him as the man I saw standing on the corner talking to the negro. I was unwilling to make this affidavit until I first went in person and looked at Conley himself. We went to the county jail today and saw Conley and I found that he was the negro that I saw talking to Mr. Frank, between 10 and 11 o'clock on April 26, 1913 on the Northwest corner of South Forsyth St.